

REMARKS

The Office Action dated September 22, 2004 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 7, 9, 10 and 12-13 are amended to more particularly point out and distinctly claim the subject matter of the invention. No new matter is added. Claims 1-13 are presently pending in the application, with claims 1-6 being withdrawn from consideration, claims 7-13 are respectfully submitted for consideration.

The Office Action imposed claims 1-13 to a Restriction Requirement under 35 U.S.C. §121. The Office Action required election between one of the following two inventions:

Invention I, recited in claims 1-6, drawn to assembly or disassembly of messages having address headers; and

Invention II, recited in claims 7-13, drawn to bypass or inoperative switch or inoperative element in a switching system.

During a telephone conference with applicants' representative on September 16, 2004, a provisional election was made with traverse to prosecute claims 7-13 of Invention II. Thus, applicants respectfully elect to prosecute the subject matter of Invention II, drawn to claims 7-13. Applicants reserve the right to file a divisional application on the non-elected claims at any point prior to the termination of the proceedings in the subject application.

The drawings were objected to for allegedly not complying with 37 C.F.R. §1.121(b). Specifically, the Office Action alleged that reference numerals within the Abstract were not shown in the drawings. Further, the Office Action alleged that the CPUs in Figure 3 were not labeled. Applicants amend the Abstract to remove the reference numerals. Applicants also amend the specification and submit corrected Figure 3 to properly reference the CPUs. Thus, the objection is rendered moot. Applicants submit that the drawings are now in compliance with 37 C.F.R. §1.121(b).

Claims 9-13 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Applicants amend claim 9 to comply with the requirements of §112, second paragraph. Thus, applicants respectfully request that the indefiniteness rejection be withdrawn.

Claims 7-8 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,400,803 (*Tate et al.*). The Office Action took the position that *Tate* taught all the elements of independent claim 7. Applicants respectfully traverse the rejection and submit that *Tate* does not disclose or suggest all the features of the presently pending claims.

Claim 7, upon which claim 8 is dependent, recites a DSL suppression circuit for suppressing DSL modem operation on a local loop. The DSL suppression circuit includes a loop current detector for sensing current drain on the local loop. The DSL suppression circuit also includes a means for providing a suppression signal controllable by the loop current detector. The DSL suppression circuit also includes a master DSL

operative coupled to a subscriber line interference circuit. The master DSL modem operates in a quiescent state upon receiving the suppression signal.

As discussed in the specification, examples of the present invention enable a master DSL modem to be placed in a quiescent mode. Thus, voice traffic may operate on a subscriber line without any modulation by a master DSL modem interfering the operations. Examples of the present invention describe continued telephone service that is maintained to a customer premises even though an integrated access device has a power failure. Thus, continued service may occur without the need for a dedicated backup analog subscriber line in addition to the subscriber line that carries digital packets. It is respectfully submitted that *Tate* fails to disclose or suggest the elements of any of the presently pending claims. Therefore, *Tate* fails to provide the critical and unobvious advantages discussed above.

Tate relates to a voiceover digital subscriber line call redirection for lifeline service. *Tate* describes, under a fault condition, a router that directs an incoming call to a selected port to provide a lifeline service. The router is arranged to monitor signals received at a subscriber loop port and selectively to disconnect at least one of the local subscriber ports responsive to signals. Referring to Figure 3 of *Tate*, a lifeline router 320 is arranged to receive signals passing between switch 301 and switches 321-324 and to provide output signals on outputs 321-324 that provide control signals to switches 331-334, respectively. Upon loss of local power, switches 301 and 331-334 are arranged as a default to provide a direct connection from subscriber loop port 340 via the direct link to

switches 331-334 and to local subscriber ports 351-354. In lifeline mode, only one channel is supported between the subscriber loop port and one of the local subscriber ports. Further, lifeline router 320 is used to receive redirection signals from a local exchange via subscriber loop port 340, whereby control switches 331-334 provide local routing within customer premises equipment. Applicants submit, however, that *Tate* does not disclose or suggest the features of a loop current detector for sensing current drain at a local loop.

In contrast, claim 7 recites "a loop current detector for sensing current drain on the local loop." Applicants submit that *Tate* does not disclose or suggest at least these features of the pending claims.

Applicants submit that *Tate* does not disclose or suggest a loop current detector during normal operations or a lifeline mode in operating switch 301. *Tate* does not disclose or suggest a detector that detects a current drain before routing the voice calls during a fault condition. Instead, *Tate* describes a router that monitors signals received at a subscriber loop port and selectively disconnects one of the ports responsive to a signal. This aspect of *Tate* does not disclose or suggest a loop current detector for sensing current drain in the local loop, as recited in claim 7. Thus, for at least these reasons, applicants submit that *Tate* does not disclose or suggest all the features of claim 7. Further, claim 8 is also not disclosed or suggested at least for the reasons given above and because claim 8 recites additional patentable subject matter. Applicants respectfully request that the anticipation rejection of claims 7-8 be withdrawn.

Claims 9-13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,520,744 (*Verbin et al.*). The Office Action took the position that *Verbin* taught all the features of independent claim 9. Applicants respectfully submit that the cited reference does not disclose or suggest all the features of the presently pending claims.

Claim 9, upon which claims 10-13 are dependent, recites a method for providing a customer premise line connection to a DSL modem. The method includes detecting whether a line has an off-hook condition or an on-hook condition. The method also includes energizing a relay to couple the line to a DSL modem. The line has the on-hook condition.

As discussed in the specification, examples of the present invention enable identification of the presence of analog signals on the subscriber line connecting an integrated access device. Thus, examples of the present invention describe disabling a DSL modem and coupling an analog-to-digital converter to prepare signals arriving on the subscriber line for transmission on a data network. It is respectfully submitted that the cited reference fails to disclose or suggest the elements of any of the presently pending claims. Therefore, the cited reference fails to provide the critical and unobvious advantages discussed above.

Verbin relates to a method and apparatus for improving performance of a splitterless asymmetric digital subscriber line (ADSL). *Verbin* describes a uniform technique for adapting an ADSL system to various situations. The uniform technique

provides a graduated approach to handling anomalies that are caused by incompatible telephone equipment. Customer premises equipment 101 is coupled to central office 102 via digital subscriber line 103. Central office 102 includes off-hook detector 117, telephone service splitter 111, ADSL modem 112, and data switch 113. Off-hook detector 117 monitors the electrical characteristics of digital subscriber line 103 to determine the status of hook switches of telephone instruments 109 and 110. *Verbin* describes procedures for accommodating the off-hook conditions that are initiating at central office 102. If off-hook detector 117 detects a change of hook/switch status, then it passes a signal to ADSL modem 112. ADSL modem 112 initiates testing to determine if a modem retraining routine is indicated. If so, ADSL modem 112 communicates this information to ADSL modem 107 at customer premises equipment 101 via digital subscriber line 103. Applicants submit, however, that *Verbin* does not disclose or suggest the features of energizing a relay to couple the line to any DSL modem, wherein the line has an on-hook condition.

In contrast, claim 9 recites "energizing a relay to couple the line to a DSL modem, wherein the line has said on-hook condition. Applicants respectfully submit that *Verbin* does not disclose or suggest at least these features of the presently pending claims.

Applicants submit that *Verbin* does not disclose or suggest energizing a relay to couple the line to a DSL modem. *Verbin* describes sending a signal to ADSL modem 107. This aspect of *Verbin* does not disclose or suggest energizing a relay to couple a line to a DSL modem. Further, applicants submit that *Verbin* does not disclose or suggest

a relay, as recited in the claims. *Verbin* describes initiating testing for retraining routines applicable to modems. This aspect of *Verbin* does not disclose or suggest energizing a relay to couple a line to a DSL modem.

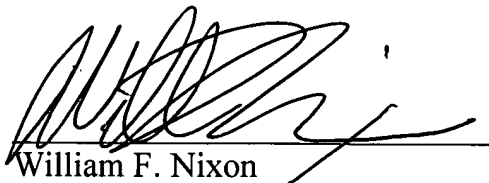
Thus, applicants submit that *Verbin* does not disclose or suggest all the features of claim 9. Claims 10-12 depend from claim 9 and are not disclosed or suggested at least for the reasons given above and because claims 10-12 recite additional patentable subject matter. Thus, applicants respectfully request that the anticipation rejection of claims 9-13 be withdrawn.

It is submitted that each of claims 7-13 recites subject matter that is neither disclosed nor suggested by the cited references. It is therefore respectfully requested that all of claims 7-13 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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WFN:cct

Enclosures: Replacement Drawings (4 sheets)
Replacement Abstract

IN THE DRAWINGS:

Please replace Figures 1a-3 as originally filed with replacement Figures 1a-3 attached hereto.

Attachment: Replacement Drawings (4 sheets)